



**NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**  
(PCT Rule 72.2)

To:

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c/o AI ASSOCIATION OF PATENT AND  
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03 July 2003 (03.07.2003)

Applicant

DAIHATSU MOTOR CO., LTD. et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, CO, EP, GH, KG, KP, KR, MK, MZ, RO, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

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**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

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Translation

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 903009PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/008440	International filing date (day/month/year) 03 July 2003 (03.07.2003)	Priority date (day/month/year) 09 July 2002 (09.07.2002)
International Patent Classification (IPC) or national classification and IPC B01J 23/89, B01D 53/94		
Applicant DAIHATSU MOTOR CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.  
  
☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:
  - ☒ Basis of the report
  - ☐ Priority
  - ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - ☐ Lack of unity of invention
  - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - ☐ Certain documents cited
  - ☐ Certain defects in the international application
  - ☐ Certain observations on the international application

Date of submission of the demand 25 November 2003 (25.11.2003)	Date of completion of this report 12 May 2004 (12.05.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/008440

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☐ the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

international application no.

PCT/JP03/08440

## V. Reasoned statement under 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

### 2. Citations and explanations

- Document 1: JP 63-302950 A (Nissan Motor Co., Ltd.) December 9, 1988  
 Document 2: JP 60-25544 A (Toyota Motor Corp.) February 8, 1985  
 Document 3: JP 62-241552 A (Cataler Kogyo Kabushiki Kaisha) October 22, 1987  
 Document 4: JP 11-262663 A (Toyota Motor Corp.) September 28, 1999

Based on the descriptions in documents 1-4 cited in the international search report, the inventions of claims 1-7 lack an inventive step.

Document 1 describes a process for producing a catalyst for waste gas purification in which an uncrystallized composition of a perovskite composite oxide compound containing a noble metal is heat treated together with alumina.

Document 1 does not describe the use of  $\theta$  alumina and  $\alpha$  alumina as the alumina, but as described in documents 2 and 3, it was previously known that the high-temperature durability of catalysts for waste gas purification is increased by using  $\theta$  alumina and  $\alpha$  alumina as the alumina. Therefore, this examination finds that persons skilled in the art can easily conceive of preparing the inventions set forth in claims 1-5 that use these kinds of alumina in the inventions described in document 1.

In addition document 1 does not describe the use of an organometallic salt of a noble metal and an alkoxide other than one of a noble metal when preparing the uncrystallized composition, but as described in document 4 (claim 2; Par. No. 0016; Example 39), it was previously known that a uniform mixed solution of an uncrystallized composition can be obtained by using an organometallic salt of a noble metal and an alkoxide other than one of a noble metal as starting materials for a catalyst for waste gas purification. Therefore, this examination finds that persons skilled in the art can easily conceive of creating the inventions set forth in claims 6 and 7 by using those kinds of constituents in the invention described in document 1. In addition, the use of  $\theta$  alumina and  $\alpha$  alumina as the alumina has already been discussed in the examination of claims 1-5.

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of Box I.5.:

At the time it was filed this international application disclosed only a catalyst for waste gas purification, and it did not make a general disclosure of catalyst compositions that are not restricted to waste gas purification. Therefore, the invention of claim 8 on page 71 and the amendment to page 4 are beyond the scope of disclosure of this international application at the time of filing.